

FORM TO BE USED BY A PRISONER FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DEC 07 2012

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY
BY *amf*

Andre Harris #368227

Western Correctional Institution

13800 McMullen Highway, SW

Cumberland, Maryland 21502

(Full name, prison identification
number and address of the plaintiff)

v.

Civil Action No. ELH-12-3601
(Leave blank on initial filing to be filled in by Court.)

Rodney Likin, LT / Sgt. Merlin / M. Randall

B. Wilburn / B. Brinegar / V. LARK / M. Davis

WCI, 13800 McMullen Highway, SW

Cumberland, Maryland 21502

(Full name and address of the defendant(s))

COMPLAINT

I. Previous lawsuits

- A. Have you filed other cases in state or federal court dealing with the same facts as in this case or against the same defendants?

YES ☐ NO ☒

- B. If you answered YES, describe that case(s) in the spaces below.

1. Parties to the other case(s):

Plaintiff: N/A

Defendant(s): N/A

2. Court (if a federal court name the district; if a state court name the city or county): N/A
3. Case No.: N/A
4. Date filed: N/A
5. Name of judge that handled the case: N/A
6. Disposition (won, dismissed, still pending, on appeal): N/A
/
7. Date of disposition: N/A

II. Administrative proceedings

- A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES ☒ NO ☐

1. If you answered YES:

a. What was the result? My administrative remedies were
dismissed by the institution and IGO.

- b. Did you appeal?

YES ☒ NO ☐

2. If you answered NO to either of the questions above, explain why:

III. Statement of claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

1. On August 9th, 2012 located in WCI Housing unit 4, I was put in a strip cell for no reason and left in there from August 9th through August 14th 2012. Also B-tier B2 they wrote paper work lying saying they let IIC do an investigation on August 9th, 2012 and that the investigation was complete and they put me back in my cell which they said on August 9th, 2012 but didn't. I went through emotional stress from being in that strip cell with just boxers and sex no mattress nothing but a toilet in side. Sgt. Merlin gave the approval for officers B. Wilburn, B. Brinegar, V. Lark, M. Davis to take me in (cell B2 in housing unit 4 B-tier) WCI, and Assault me and leave me there. 2. on August 16, 2012 after I filled out (ARP) a little after 11:00 AM C.O.I.M. Randall came and got me out my cell and took me up stairs to an office were Sgt. Merlin was waiting and Assaulted me again in housing unit 4 and made me sign off on my ARP and said they would keep assaulting me until I sign off and give me adjustment tickets. 3. On August 9, 2012 in housing unit 4 A-tier officers M. Randall, B. Brinegar, M. Davis came to my cell between 10:00 - 12:00 am and through all my belongings away and personal things, pictures, mail, books, commissary, clothes etc... And spit chewing tobacco in my drinking cup which I still have now. LT. R. Likin was aware of all situations he's housing unit Manager. I attached another piece of paper. All defendants are located At WCI 13800 McMullen Highway, SW Cumberland, md 21502
- IV. Relief** (State briefly what you want the Court to do for you.)

\$50,000 Each for punitive damage for each person involved and \$25,000
for compensatory damage per person

SIGNED THIS 30 day of, November, 2012.

Andre Harris
 (original signature of plaintiff)

Western Correctional Institution

13800 McMullen Highway, SW

Cumberland, Maryland 21502
 (address of plaintiff)

III. Statement of Claim

1.

I was hurt physically, and mentally (Physically) from officers B. Brinegar, V. Lark, M. Davis, B. Wilburn punching and kneeing me. (mentally) from being assaulted and threatened, and also left in a strip cell with no clothes but some boxers, Sox and had to sleep on a cement floor in fifth, and being depressed, from the whole situations.

Andre Harris #368227

CERTIFICATE OF SERVICE

I hereby certify that on this 30 day of November, 2012, a copy of this was sent to the clerk of the court, was mailed, postage prepaid, to (name and address of the attorney or person to whom you sent it).

(your signature) Andre Harris

It is not necessary to state in the certificate of service that copies were sent to the Court or to the Clerk.

Do not file any motions or memoranda that are longer than fifty pages unless you have received permission from the Court. Most motions and memoranda should be much shorter than fifty pages.

You do not have to file copies of exhibits that are already on file in the same case. For example, if the defendants in your case file a motion for summary judgment and attach as an exhibit to their motion a copy of a sick call slip, you do not have to attach a copy of that document to your opposition or to any motions you file. You may simply refer to the copy that is already in the file.

You must sign every pleading, motion, and memorandum that you file. You MAY NOT sign someone else's name, nor may you file anything on behalf of someone else. In order for a pleading, motion, or memorandum to be considered on behalf of more than one plaintiff, each plaintiff must sign it.